

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

CLARAETTA MOORE,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO.
)	CV-03- C-3200-W
UNIVERSITY OF ALABAMA)	
BOARD OF TRUSTEES,)	
)	
Defendant.)	

DEFENDANT'S RESPONSE TO PLAINTIFF'S MOTION FOR EXTENSION OF
DEADLINE FOR FILING PLAINTIFF'S BRIEF IN OPPOSITION TO
DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT

Comes now the Defendant, The Board of Trustees of The University of Alabama and in response to Plaintiff's Motion for Extension of Deadline For Filing Plaintiff's Brief In Opposition To Defendant's Motion For Partial Summary Judgment (Plaintiff's Motion") which was filed on or about November 22, 2004, avers the following.

1. Counsel for Defendant confirms that counsel for the parties have discussed this matter and further confirms that the Defendant does not oppose Plaintiff's request to extend the deadline for filing its brief in opposition until **December 7, 2004.**

2. As stated in paragraph 4 of Plaintiff's Motion, the Defendant **does oppose** any extension beyond December 7, 2004, as Defendant's counsel is scheduled to appear in a complex mediation which is scheduled for December 15-17, 2004, which involves multiple parties, some from outside the State of Alabama. If the Plaintiff's time for filing

her brief in opposition is extended beyond December 7, 2004, then a portion of the time allocated to Defendant for preparation of its reply brief would overlap Defendant's counsel's appearance in the mediation and interfere with the preparation of its reply brief.

3. In paragraph 5 of Plaintiff's Motion, Plaintiff's counsel states that plaintiff would not oppose an extension of the time in which for Defendant of submit its reply brief should this Court grant Plaintiff's request for a fifteen (15) day extension until December 15, 2004.

4. Consequently, should the Court be inclined to grant Plaintiff's request for a fifteen (15) day extension until December 15, 2004, within which to file its brief in opposition, then Defendant hereby respectfully requests a seven (7) day extension of time to **December 29, 2004**, within which to file its reply brief which the Plaintiff has stated that it would not oppose.

WHEREFORE, in response to Plaintiff's Motion the Defendant respectfully requests that should this Honorable Court grant Plaintiff's Motion for a fifteen (15) day extension until December 15, 2004, within which to file Plaintiff's brief in opposition, then Defendant asks that the Court also grant to the Defendant a seven (7) day extension

of time until December 29, 2004, within which to file its reply brief.

Respectfully submitted,

George B. Gordon
Office of Counsel
The University of Alabama System
Box 870106
Tuscaloosa, AL 35487-0106
Tel.: 205-348-5490
E-Mail: sgordon@uasystem.ua.edu
Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the following via electronic mail and first class U.S. Mail, postage pre-paid and properly addressed to:

Ann C. Robertson
Temple Trueblood
Wiggins, Childs, Quinn & Pantazis, P.C.
The Kress Building
301 19th Street, North
Birmingham, AL 35203
Tel.: (205) 314-0500
E-Mail: TTrueblood@wcqp.com
acr@wcqp.com

on this the ____ day of November, 2004.

OF COUNSEL